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Executive Order No. 26-94

EXECUTIVE ORDER CONTINUING THE GOVERNOR'S
HAZARDOUS MATERIALS TRANSPORTATION ADVISORY COUNCIL

WHEREAS, the protection of our environment and citizens is important to every Montanan and requires constant review of preventive measures taken in the transport of hazardous materials; and

WHEREAS, the number of vehicles, including rail and air transporters, involved in the transportation of hazardous materials or hazardous waste through this state is on the increase; and

WHEREAS, the public health, safety and environment may be jeopardized when hazardous materials or hazardous waste are transported in an unsafe manner; and

WHEREAS, the problem of unsafe transportation of hazardous waste and hazardous materials and the potential of accidental release is a matter of statewide concern.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Constitution and the laws of the State of Montana,

including Section 2-15-122, MCA, do hereby establish the Governor's Hazardous Materials Transportation Advisory Council.

I. PURPOSE

A. The purpose of this council is to advise the Governor's Office and local and state governmental agencies in the following areas:

1. the effectiveness of existing regulation and the determination of any additional state regulation necessary to assure the safe operation in all modes of transportation involved in shipping hazardous materials and hazardous waste within this state;

2. the feasibility of developing a system capable of identifying and regulating transportation of hazardous materials and hazardous waste utilizing existing resources;

3. the protection of the health and safety of the public and the environment by reducing the risk of accidents through a safety inspection program for vehicles and companies which transport hazardous materials or waste;

4. the feasibility of implementing a centralized program where carriers of hazardous materials or hazardous waste can obtain licenses, permits or information on current state regulations;

5. implementation of a proactive program that

concentrates on preventive safety measures to reduce the probability of accidental releases;

6. coordination between all state agencies regulating hazardous materials and hazardous waste with a minimum of duplication.

B. The Council shall work closely with the State Emergency Response Commission in coordinating action plans to fulfill their respective missions.

C. In carrying out these responsibilities, the Department of Transportation and the Department of Health and Environment Sciences are designated as lead agencies and are authorized to seek the cooperation of any executive agency or office of state government to supply necessary data, reports or other information to carry out the council's duties under this order. All agencies of the state are directed to the extent consistent with law, to reasonably cooperate with the council to furnish it with such information, personnel and assistance as necessary to accomplish the purpose of this order.

In addition, this council will have the authority to appoint people from state government, upon consultation with department directors, to serve on a technical committee under this council's chairman.

II. <u>COMPOSITION</u>

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Transportation, the Department of Health and

Environmental Sciences and the Secretary of State.

The Council shall be co-chaired by a member representing the Department of Transportation and a member representing the Department of Health and Environmental Sciences.

III. DURATION

The Council shall exist for a period of two years from the effective date of this Order unless rescinded by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 13th day of December, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 25-94

CREATING THE STATE BOARD OF EDUCATION
JOINT PLANNING AND COORDINATION COMMITTEE

WHEREAS, I, Marc Racicot, Governor of the State of Montana, pursuant to the authority vested in me by the laws and Constitution of the State of Montana, and at the request of and with the unanimous consent of the Board of Regents, the Office of the Commissioner of Higher Education, the Board of Public Education, the Office of Public Instruction and the Governor's Office, do hereby create the Joint Planning and Coordination Committee as a standing committee of the State Board of Education.

I. PURPOSE

In order to fulfill the responsibilities of Article 10, Section 9 of the Montana Constitution the Committee shall:

1. prepare necessary recommendations and legislation to remove any statutory restrictions that prevent or obstruct joint education planning and coordination, including the presentation of a unified budget request for succeeding bienniums, by November 15, 1994; and

2. jointly plan, coordinate and evaluate policies and programs for the public educational systems of the state and make recommendations to the State Board of Education.

II. COMPOSITION

The Committee shall consist of six members representative of the following:

- one member of the Board of Public Education, appointed by the Chairperson by October 15, 1994;
- the Executive Secretary of the Board of Public Education;
- one member of the Board of Regents appointed by the Chairperson by October 15, 1994;
- the Commissioner of Higher Education;
- the Superintendent of Public Instruction or a designated representative; and
- the Governor or a designated representative.

The names and addresses of members who shall serve shall be submitted by separate appointment letters to the Secretary of State by October 15, 1994.

Given under my hand and the GREAT SEAL of the State of Montana, this 13th day of October, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 23-94

EXECUTIVE ORDER AMENDING EXECUTIVE ORDER NO. 18-94
ESTABLISHING THE MONTANA LEWIS & CLARK
BICENTENNIAL CELEBRATION ADVISORY COUNCIL

The provisions of Executive Order 18-94 are amended by striking the number "12" on page 3, line 7, and substituting the number "20".

Given under my hand and the GREAT SEAL of the State of Montana, this 22ND day of September, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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No. 22-94

State of Montana
Office of the Governor

Executive Order No. 22-94

EXECUTIVE ORDER CONTINUING THE
CHAPTER 2 EDUCATION ADVISORY COUNCIL

WHEREAS, Section 1522(a)(2) of Chapter 2 of Title I of Hawkins-Stafford 1988 Amendments of the Elementary and Secondary Education Act of 1965 (PL 100-297), 20 USC 2911, requires continuing consultation between the Office of Public Instruction and an advisory council appointed by the Governor.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me under the laws and Constitution of the State of Montana, do hereby continue the Education Advisory Council.

I. <u>PURPOSE</u>

The purpose of the Council shall be to advise the Superintendent of Public Instruction on implementation of Education and Consolidation Improvement Act programs in accordance with federal statutes. These advisory functions specifically include those listed in 20 USC 2911, 1522(a)(2).

II. COMPOSITION

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Office of Public Instruction and the Secretary of State.

III. DURATION

The Council shall exist for a period of two years from the effective date of this Order unless it is no longer necessary pursuant to 20 USC 2911, 1522(a)(2), or is extended by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 20th day of September, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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No. 21-94

State of Montana
Office of the Governor

Executive Order No. 21-94

EXECUTIVE ORDER CONTINUING THE
FAMILY SUPPORT SERVICES ADVISORY COUNCIL

WHEREAS, the Montana Legislature authorized the State of Montana to apply for funding to implement the state grant program for infants and toddlers as established under the Education of Handicapped Act Amendments of 1986, PL 99-457, (renamed and amended under its reauthorization in October, 1990 as the Individuals with Disabilities Education Act, PL 101-476); and

WHEREAS, the Developmental Disabilities Division of the Department of Social and Rehabilitation Services has been designated the lead agency for early intervention and family support services provided for under Title I, Part H of the Individuals with Disabilities Education Act (PL 101-476); and

WHEREAS, to be eligible for participation in the state grant program for infants and toddlers, the Governor must establish an Interagency Coordinating Council of at least 15 members, but not more than 25 members, to advise the

Developmental Disabilities Division regarding issues of early intervention and family support in Montana; and

WHEREAS, the Family Support Services Advisory Council exists to advise the Developmental Disabilities Division regarding issues of early intervention and family support in Montana; and

WHEREAS, the Family Support Services Advisory Council exists to advise the Developmental Disabilities Division regarding the State of Montana's intent to plan, develop, and implement a statewide, comprehensive, multi-disciplinary, coordinated program of early intervention and family support services for children aged birth to five, inclusive, and their families.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the constitution and laws of the State of Montana, do hereby continue the Montana Interagency Coordinating Council.

I. PURPOSE

The Council shall carry out all duties assigned pursuant to Public Law 101-476 and amendments thereto.

II. COMPOSITION

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Social and Rehabilitation Services and the Secretary of State.

III. DURATION

The Council shall exist for a period of two years from the effective date of this order unless otherwise ordered by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 9th day of September, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

State of Montana
Office of the Governor

Executive Order No. 20-94

EXECUTIVE ORDER RECREATING THE
MONTANA HISTORICAL RECORDS ADVISORY COUNCIL

WHEREAS, Public Law 93-536 requires the Governor of each state desiring to participate in the National Historical Publications Program to establish an Historical Records Advisory Council; and

WHEREAS, the State of Montana has demonstrated an interest in the care of historical records.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Constitution and laws of the State of Montana, specifically 2-15-122, MCA, and Public Law 93-536, do hereby recreate the Montana Historical Records Advisory Council.

I. <u>PURPOSE</u>

Pursuant to Public Law 93-536 and the implementing regulations, the Council shall serve as the central advisory body in the State of Montana for the care, storage, and disposition of historical records, and shall review and evaluate grant proposals made to the National Historical -

Publications and Records Commission (NHPRC), an Office of the National Archives and Records Administration. The Council is authorized to receive funds pursuant to Public Law 93-536.

II. COMPOSITION

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Montana Historical Society and the Secretary of State.

III. ADMINISTRATION

The Council shall be attached to the Montana Historical Society for administrative purposes.

IV. DURATION

The Council shall exist for a period of two years from the effective date of this Order unless extended by subsequent Executive Order.

This Order is effective October 6, 1994.

Given under my hand and the GREAT SEAL of the State of Montana, this 19th day of September, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 19-94

EXECUTIVE ORDER PROCLAIMING CONDITIONS AS DEFINED IN SECTIONS 10-3-103 AND 10-3-302, MCA, TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING GLACIER, TOOLE, PONDERA, TETON, LEWIS & CLARK, CASCADE, JUDITH BASIN, MEAGHER, BROADWATER, JEFFERSON, GALLATIN, PARK, LIBERTY, HILL, BLAINE, PHILLIPS, GOLDEN VALLEY, DANIELS, SHERIDAN, ROOSEVELT, RICHLAND, DAWSON, McCONE, GARFIELD, PETROLEUM, FERGUS, CHOUTEAU, WHEATLAND, GOLDEN VALLEY, MUSSELSHELL, SWEETGRASS, STILLWATER, CARBON, YELLOWSTONE, BIG HORN, TREASURE, ROSEBUD, PRAIRIE, WIBAUX, CUSTER, FALLON, POWDER RIVER AND CARTER COUNTIES

WHEREAS, extremely dry conditions and high winds have combined to create hazardous fire conditions in identified areas of the state; and

WHEREAS, wildland fires are currently burning and have created an imminent threat of a disaster which timely actions can avert or minimize; and

WHEREAS, these conditions authorize the Governor to mobilize state resources and the Montana National Guard to protect life, health and property and authorize the Governor, under Section 10-3-312, MCA, to expend funds from the general fund to meet contingencies and needs arising from the emergency.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare a state of emergency to exist in Glacier, Toole, Pondera, Teton, Lewis & Clark, Cascade, Judith Basin, Meagher, Broadwater, Jefferson, Gallatin, Park, Liberty, Hill, Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Richland, Dawson, Mccone, Garfield, Petroleum, Fergus, Chouteau, Wheatland, Golden Valley, Musselshell, Sweet Grass, Stillwater, Carbon, Yellowstone, Big Horn, Treasure, Rosebud, Prairie, Wibaux, Custer, Fallon, Powder River and Carter Counties.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 9th day of September, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 18-94

EXECUTIVE ORDER ESTABLISHING THE MONTANA LEWIS AND CLARK BICENTENNIAL CELEBRATION ADVISORY COUNCIL

WHEREAS, the Lewis and Clark Expedition has great historical significance to the State of Montana; and

WHEREAS, the 200th anniversary of the Lewis and Clark Expedition will occur in the years 2003-2006; and

WHEREAS, Montana needs to plan its involvement in, and to coordinate state activities for, this bicentennial celebration; and

WHEREAS, it is important that Montana consult with other states and national organizations concerned with the celebration of the Lewis and Clark Bicentennial.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Constitution and laws of the State of Montana, specifically 2-15-122, MCA, do hereby establish the Lewis and Clark Bicentennial Celebration Advisory Council.

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I. PURPOSE

The purpose of the Advisory Council is to recommend to the Governor ways in which the Council can:

1. promote public awareness of the historical significance of the Lewis and Clark Expedition and encourage the identification, appreciation, and protection of historical sites and outdoor recreation resources along the Lewis and Clark route;

2. coordinate with other Montana commissions, bureaus, agencies, and boards regarding the Council's activities that relate to the history of the Lewis and Clark Expedition, thereby fostering state recognition of the Lewis and Clark Bicentennial;

3. accept donations, generate revenue and disperse funds to assist in the development of Montana-based events commemorating the Lewis and Clark Bicentennial;

4. originate, develop, and promote Montana-based events commemorating the Lewis and Clark Bicentennial; and

5. communicate and conduct activities with other states along the Lewis and Clark route, the National Lewis and Clark Trail Heritage Foundation, Inc., the Lewis and Clark National Historic Trail Interpretive Center, the National Park Service's Lewis and Clark National Historic Trail Supervisor's Office and other federal departments, bureaus, and committees concerned

with the Lewis and Clark Bicentennial for the purpose of fostering state and national recognition of the significance of the Lewis and Clark Expedition.

II. COMPOSITION

The Montana Lewis and Clark Bicentennial Celebration Advisory Council shall be comprised of not more than 12 members. The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Commerce, the Department of Fish, Wildlife and Parks, the Montana Historical Society and the Secretary of State. Staff support shall be provided by the Montana Historical Society.

III. COMPENSATION

Council Members eligible for compensation under 2-15-122(5), MCA, shall be compensated by the Department of Commerce, Tourism Promotion Division, at $25 for each day actually and necessarily engaged in the performance of Council duties. All members shall be reimbursed for travel expenses pursuant to 2-15-122(5), MCA.

IV. DURATION

This Council shall exist for a period of two years from the effective date of this Executive Order, unless otherwise ordered by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 26th day of August, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 17-94

EXECUTIVE ORDER AMENDING EXECUTIVE ORDER NO. 15-94 PROCLAIMING A DISASTER TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING LINCOLN, FLATHEAD, SANDERS, LAKE, MINERAL, MISSOULA, POWELL, RAVALLI, GRANITE, DEER LODGE, SILVER BOW, BEAVERHEAD AND MADISON COUNTIES

The provisions of Executive Order 15-94 are amended by striking in the title the reference to section 10-3-302, MCA, and substituting section 10-3-303, MCA; and by striking the word "emergency" on page 2, line 3, and substituting the word "disaster."

Given under my hand and the GREAT SEAL of the State of Montana, this 23rd day of August, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 16-94

EXECUTIVE ORDER CREATING THE GOVERNOR'S
HIV/AIDS ADVISORY COUNCIL

WHEREAS, the Human Immunodeficiency Virus (HIV), the virus that causes Acquired Immunodeficiency Syndrome (AIDS), claims a life in the United States every fifteen minutes, is the leading cause of death for men between the ages 25-44 and the fourth leading cause of death for women between the ages of 25-44; and

WHEREAS, Montana State Government has a significant interest in protecting the public health; and

WHEREAS, Montana has both the opportunity and the obligation to provide a constructive response to this HIV epidemic; and

WHEREAS, such a response necessarily requires the commitment and resources of all levels of government coupled with a firm partnership with the private sector in order to effectively stem the spread of this disease; and

WHEREAS, the 1994 "Report to the Governor: Montana

PLEASE RETURN

Responds to HIV/AIDS" and previous AIDS advisory councils have recommended the multiplicity of issues that transcend the singular responsibility of any one state agency; and

WHEREAS, the need for an advisory and leadership mechanism is critical for an effective and publicly supported response to a very serious public health issue.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by the authority vested in me by Article VI, Section 4 of the Montana Constitution, and Section 2-15-201, MCA, do hereby establish the Governor's HIV/AIDS Advisory Council.

I. PURPOSE

The Council shall:

A. provide the leadership required to recommend public policy that assures the initiation, coordination, promotion, implementation and evaluation of services and activities that can effectively arrest the spread of the HIV infection and provide humane treatment for those that are or become infected; and

B. specifically review the document entitled "A Report the Governor: Montana Responds to HIV/AIDS" and to focus their initial efforts on responding to the recommendations contained therein.

II. DUTIES

The Department of Health and Environmental Sciences shall organize Regional HIV Prevention Community Planning

groups according to the Governor's Health Planning Districts and in accordance with the Centers for Disease Control's HIV Prevention Community Planning process guidance. These regional planning groups shall submit recommendations for a comprehensive Montana HIV prevention plan to the Council for review.

III. COMPOSITION

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Health and Environmental Sciences and the Secretary of State. Staff support shall be provided by the Department of Health and Environmental Sciences.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 18th day of August, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 15-94

EXECUTIVE ORDER PROCLAIMING CONDITIONS AS DEFINED IN SECTIONS 10-3-103 AND 10-3-302, MCA, TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING LINCOLN, FLATHEAD, SANDERS, LAKE, MINERAL, MISSOULA, POWELL, RAVALLI, GRANITE, DEER LODGE, SILVER BOW, BEAVERHEAD AND MADISON COUNTIES

WHEREAS, extremely dry conditions and high winds have combined to create hazardous fire conditions in identified areas of the state; and

WHEREAS, wildland fires are currently burning and have created an imminent threat of a disaster which timely actions can avert or minimize; and

WHEREAS, these conditions authorize the Governor to mobilize state resources and the Montana National Guard to protect life, health and property and authorize the Governor, under Section 10-3-312, MCA, to expend funds from the general fund to meet contingencies and needs arising from the emergency.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor

PLEASE RETURN

under the Constitution of the State of Montana, Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare a state of emergency to exist in Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, Deer Lodge, Silver Bow, Beaverhead and Madison Counties.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 16th day of August, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney by: Tina Bostrus Deputy

MIKE COONEY, Secretary of State

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Executive Order No. 14-94

EXECUTIVE ORDER PROCLAIMING CONDITIONS AS DEFINED IN SECTIONS 10-3-103 AND 10-3-302, MCA, TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING WHEATLAND, GOLDEN VALLEY, MUSSELSHELL, SWEET GRASS, STILLWATER, CARBON, YELLOWSTONE, BIG HORN, TREASURE, ROSEBUD, PRAIRIE, WIBAUX, CUSTER, FALLON, POWDER RIVER AND CARTER COUNTIES

WHEREAS, extremely dry conditions and high winds have combined to create hazardous fire conditions in identified areas of the state; and

WHEREAS, wildland fires are currently burning and have created an imminent threat of a disaster which timely actions can avert or minimize; and

WHEREAS, these conditions authorize the Governor to mobilize state resources and the Montana National Guard to protect life, health and property and authorize the Governor, under Section 10-3-312, MCA, to expend funds from the general fund to meet contingencies and needs arising from the emergency.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor

PLEASE RETURN

under the Constitution of the State of Montana, Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare a state of emergency to exist in Wheatland, Golden Valley, Musselshell, Sweet Grass, Stillwater, Carbon, Yellowstone, Big Horn, Treasure, Rosebud, Prairie, Wibaux, Custer, Fallon, Powder River and Carter Counties.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 10th day of August, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 13-94

EXECUTIVE ORDER PROCLAIMING CONDITIONS AS DEFINED IN SECTIONS 10-3-103 AND 10-3-302, MCA, TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING MINERAL, MISSOULA, POWELL, RAVALLI, GRANITE, DEER LODGE, SILVER BOW, BEAVERHEAD AND MADISON COUNTIES

WHEREAS, extremely dry conditions and high winds have combined to create hazardous fire conditions in identified areas of the state; and

WHEREAS, wildland fires are currently burning and have created an imminent threat of a disaster which timely actions can avert or minimize; and

WHEREAS, these conditions authorize the Governor to mobilize state resources and the Montana National Guard to protect life, health and property and authorize the Governor, under Section 10-3-312 (b), MCA, to expend funds from the general fund to meet contingencies and needs arising from the emergency.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, Title 10,

Chapter 3, MCA, and under other applicable statutes, do hereby declare a state of emergency to exist in Mineral, Missoula, Powell, Ravalli, Granite, Deer Lodge, Silver Bow, Beaverhead and Madison Counties.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 27th day of July, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 12-94

EXECUTIVE ORDER PROCLAIMING CONDITIONS AS DEFINED IN SECTIONS 10-3-103 AND 10-3-302, MCA, TO EXIST AS A RESULT OF WILDLAND FIRES AFFECTING LINCOLN, FLATHEAD, SANDERS AND LAKE COUNTIES

WHEREAS, extremely dry conditions and high winds have combined to create hazardous fire conditions in identified areas of the state; and

WHEREAS, wildland fires are currently burning and have created an imminent threat of a disaster which timely actions can avert or minimize; and

WHEREAS, these conditions authorize the Governor to mobilize state resources and the Montana National Guard to protect life, health and property and authorize the Governor, under Section 10-3-312 (b), MCA, to expend funds from the general fund to meet contingencies and needs arising from the emergency.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana, Title 10,

Chapter 3, MCA, and under other applicable statutes, do hereby declare a state of emergency to exist in Lincoln, Flathead, Sanders and Lake Counties.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 27th day of July, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 11-94

EXECUTIVE ORDER ESTABLISHING THE
RISK MANAGEMENT ADVISORY COMMITTEE

WHEREAS, The Department of Administration, pursuant to Section 2-9-101, MCA, is charged with the acquisition and administration of all insurance purchased for the protection of the state; and

WHEREAS, the Department of Administration shall, after consultation with the departments, agencies, commissions, and other instrumentalities of the state ("state participants") provide a comprehensive insurance plan for the state; and

WHEREAS, all offices, departments, agencies, authorities, commissions, boards, institutions, hospitals, colleges, universities, and other state participants are statutorily required to comply with the insurance plan developed by the Department of Administration pursuant to Section 2-9-201, MCA; and

WHEREAS, risk management is an essential component in the formation of a comprehensive state insurance plan; and

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WHEREAS, a systematic and organized approach to managing risks through effective loss prevention, cost effective risk management techniques, and insurance coverage will reduce the conditions and practices which cause insurable losses; and

WHEREAS, the protection of Montana's physical and human resources is of vital interest to our citizens and to our well being as a state.

NOW, THEREFORE, I, MARC RACICOT, by virtue of the authority vested in me as Governor by the Constitution and laws of the State of Montana and Section 2-15-122, MCA, do hereby establish the Risk Management Advisory Committee.

I. PURPOSE:

The purpose of the Committee shall be as follows:

1. Make recommendations to the Governor, other elected officials, and department directors on implementation of:

   a. a risk management plan within each instrumentality of state government; and

   b. risk awareness activities as an integral part of operating procedures.

2. Serve in an advisory capacity to resolve problems which may arise with insurance coverage or risk management concerns involving protection of state assets and resources.

3. Disseminate and collect insurance and risk management information from state agencies to maintain

and preserve the insurability and viability of state assets.

4. Review alternatives and make recommendations for adoption of risk management policies and, when necessary, recommend administrative or legislative action.

I further direct the Department of Administration, in accordance with general policy direction established by the Division of Risk Management and Tort Defense, and in cooperation with other instrumentalities of state government, to develop and annually update and present to the Governor a recommended risk management plan.

The plan shall provide for the effective and efficient allocation of insurance and risk management resources and shall address the need for collecting, summarizing, and disseminating insurance, risk management, claims, and loss prevention information.

II. COMPOSITION:

The Risk Management Advisory Committee shall be composed of one representative from each of the following areas of state government:

1) Department of Administration
2) Department of Agriculture
3) Department of Commerce
4) Department of Family Services
5) Department of Fish, Wildlife & Parks
6) Department of Health & Environmental Sciences

7) Department of Transportation

8) Department of Corrections & Human Services

9) Department of Justice

10) Department of Labor & Industry

11) Department of Livestock

12) Department of Military Affairs

13) Department of Natural Resources & Conservation

14) Public Service Commission

15) Department of Revenue

16) Department of Social & Rehabilitative Services

17) Department of State Lands

18) Commissioner of Higher Education

19) Office of Public Instruction

20) Office of Secretary of State

21) Legislative Council

22) Montana Judiciary

23) State Fund

The Director of the Department of Administration, or his/her designee, shall serve as chairperson and shall represent the Governor's Office. The full committee shall convene at least annually. Subcommittees consisting of uniform or similar risk management issues shall convene from time to time as requested by the chairperson.

The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Administration and the Secretary of State.

III. DURATION:

This Advisory Council shall exist for two years from the effective date of this order unless extended or terminated by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 22nd day of June, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 10-94

EXECUTIVE ORDER TRANSFERRING THE NATURAL RESOURCES DAMAGE PROGRAM FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO THE DEPARTMENT OF JUSTICE

WHEREAS, the Natural Resource Damage Program (NRD Program) was established to represent the State of Montana in litigation involving damages from the release of hazardous substances in the Upper Clark Fork River Basin; and

WHEREAS, with respect to this litigation, State of Montana v. Atlantic Richfield Company, CV 83-317-HLN-CCL, the Governor of the State of Montana serves as "Trustee" for the State's natural resources in cooperation with Montana's natural resource agencies, the Departments of Health and Environmental Sciences, Fish Wildlife and Parks, and State Lands; and

WHEREAS, the structure of the NRD Program has been developed and overseen by a "Policy Committee" appointed by the Governor in 1990 to include the Directors of the Departments of Health and Environmental Sciences, Fish, Wildlife and Parks, State Lands, and a representative of the

Governor's Office, with the Attorney General acting in an advisory capacity to the Committee; and

WHEREAS, prior to this date the NRD Program was administratively attached to the Department of Health and Environmental Sciences; and

WHEREAS, the focus of the NRD Program has progressed from the assessment of damages for the release of hazardous substances to the upper Clark Fork Basin to the stage of settlement negotiations and potential trial of the lawsuit against Atlantic Richfield Company; and

WHEREAS, at this stage of the litigation, it is in the interest of the State and NRD Program to be administratively attached to the Department of Justice under the guidance of the Attorney General.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me by the Constitution and laws of the State of Montana, do hereby direct the following:

1. The NRD Program will cease being attached to the Department of Health and Environmental Sciences for administrative purposes;

2. The NRD Program will, upon execution of this order, become administratively attached to the Department of Justice;

3. The assets and liabilities and expenses for the current fiscal year of the NRD Program will be transferred to

reflect this realignment, to apply retroactively to July 1, 1993;

4. The Governor will continue to serve as natural resource "trustee" in the litigation involving the release of hazardous substances in the Upper Clark Fork Basin;

5. The Governor will continue to exercise his constitutional and statutory authority over the course of the litigation generally, serving as "client" on behalf of the State; and

6. The client role of the Governor will continue to be executed through the Policy Committee as currently structured according to its existing procedures and traditions.

This order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 17th day of June, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 9-94

EXECUTIVE ORDER CONTINUING THE GOVERNOR'S ADVISORY COUNCIL ON DISABILITY (PREVIOUSLY KNOWN AS THE GOVERNOR'S COMMITTEE ON EMPLOYMENT OF PEOPLE WITH DISABILITIES)

WHEREAS, the Americans with Disabilities Act (ADA) opens the doors of opportunity for Montana's citizens with disabilities to become employees, taxpayers and welcome participants in the operations of their state government; and

WHEREAS, these opportunities are contingent on equal access to employment, services, and information provided by state agencies; and

WHEREAS, effective compliance with the Americans with Disabilities Act by state government can serve as a model for employers and service providers throughout Montana; and

WHEREAS, the compliance of state agencies with the American with Disabilities Act will be coordinated by the Department of Administration and the Department's ADA Coordinator; and

WHEREAS, this compliance and coordination will be reinforced and enhanced through the participation and advice of concerned employees and citizens, including persons with

disabilities.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me under the laws of the State of Montana, do hereby establish the Governor's Advisory Council on Disability.

I. PURPOSE

The Advisory Council shall advise the Department of Administration, the ADA Coordinator and the Governor's Office on issues affecting the implementation of the Americans with Disabilities Act in State Government, including:

1. recommending steps to promote the proactive implementation of the Americans with Disabilities Act in Montana State Government with emphasis on both Title I and Title II;

2. recommending steps to promote the development of employment opportunities for Montanans with disabilities in state government agencies with the same terms, conditions and privileges of employment enjoyed by other state employees;

3. identifying specific problems affecting the access of people with disabilities to the programs, services, activities, and information provided by state agencies;

4. identifying specific problems affecting the opportunity for people with disabilities to actively participate in the operation of their government;

5. recommending steps to insure that state government provides a model for other Montana employers for compliance and implementation of the Americans with Disabilities Act; and

6. sharing of the information with other employers and organizations, including the President's Committee on Employment of Persons with Disabilities, to promote the effective implementation of the Act throughout Montana.

II. COMPOSITION

The Governor shall appoint seven voting members to the Advisory Council. Additional non-voting, ex-officio members may be appointed as deemed necessary to represent other councils, committees or programs. At least four voting members must be individuals with disabilities. The membership must be drawn from consumers of state government services, associations or councils representing people with disabilities, and state employees. The names and addresses of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Department of Administration and the Secretary of State.

The Chair and Vice Chair must be elected by a vote of the Advisory Council at the first meeting of the Council under this Executive Order.

The Department of Administration shall provide administrative support to the Advisory Council necessary to permit the Council to conduct quarterly meetings.

III. DUTIES

The Advisory Council shall meet no less than quarterly to be determined by the Council, in cooperation with the Department of Administration, to assure that the Council has adequate opportunity to review the activities of the ADA Coordinator and

provide appropriate advice.

Any number of voting members constitutes a quorum. Business may be conducted by a majority of the voting members present.

IV. COMPENSATION

Council members' expenses eligible for compensation under Section 2-15-122(5), MCA, shall be paid by the Department of Administration at the rate of $25 for each day actually and necessarily engaged in the performance of Council duties. All members shall be reimbursed for travel expenses pursuant to 2-15-122(5), MCA.

V. DURATION

This Advisory Council remains in existence for a period of two years from the effective date of this order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 16 day of June, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 8-94

EXECUTIVE ORDER CREATING THE GOVERNOR'S ADVISORY COUNCIL ON CORRECTIONS AND CRIMINAL JUSTICE POLICY

I, MARC RACICOT, by virtue of the authority vested in me as Governor by the Constitution and laws of the State of Montana, and specifically pursuant to Section 2-15-122, MCA, do hereby establish a Governor's Advisory Council on Corrections and Criminal Justice Policy.

I. PURPOSE

The Council shall aid in planning programs, and make recommendations regarding the improvement of corrections and criminal justice policy in the State of Montana.

II. COMPOSITION

A. The Corrections and Criminal Justice Policy Advisory Council shall be composed of seventeen members. The names and addressed of members who shall serve at the pleasure of the Governor are submitted by separate letter to the Attorney General and the Secretary of State.

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VI. DURATION

This Advisory Council shall exist for two years from the effective date of this order unless extended or terminated by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 28th day of April, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 7-94

EXECUTIVE ORDER CONTINUING THE
CAPITAL FINANCE ADVISORY COUNCIL

WHEREAS, the Montana State Legislature has authorized state agencies to incur debt by issuing notes, bonds, and certificates to the public to support a wide variety of activities in furtherance of various public purposes; and

WHEREAS, a coordinated approach to issuing obligations would enhance marketing of these obligations by the State of Montana; and

WHEREAS, it is necessary to present a coordinated strategy to finance Montana's capital investment to the rating agencies to enhance the credit ratings of obligations issued by the state; and

WHEREAS, it is desirable to communicate to investors, underwriters, and credit analysts the state's debt management policies and financial plans so that these market participants understand the state's management and control of debt issuance practices; and

WHEREAS, it is desirable to maintain a council whose purpose is to review, analyze, coordinate, and harmonize the borrowing patterns of the state.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by virtue of the authority vested in me in accordance with Section 2-15-122, MCA, do hereby continue the Capital Finance Advisory Council.

I. Definitions

As used in this Order, the following terms have the following meaning:

1. "Council" means the Capital Finance Advisory Council.
2. "Issuer" means any state agency that issues obligations authorized by state law.
3. "Agency" means any state agency under the authority of the Governor as enumerated in Title 2, chapter 15, MCA.
4. "Obligations" means notes, bonds, or certificates issued or to be issued by any state agency to finance one or more activity, program, or project, including obligations issued in anticipation of taxes, income, or revenues derived from any source or to redeem or refinance outstanding obligations.

II. Composition

The Governor shall appoint 13 members to the Council. The members shall serve at the pleasure of the Governor.

The Governor shall submit the names and addresses of the members by separate letter to the Secretary of State and the Department of Administration.

The Director of the Department of Administration shall chair the Council, and the Council is attached to the department for administrative purposes. Employees of the Department of Administration shall serve as staff to the Council as directed by the chairperson.

III. Duties of the Advisory Council

1. The Council shall:

a. provide continued oversight of state obligations and review the form of obligations to ensure consistency with authorizing legislation and state financial policies;

b. prepare a state debt management plan and review, analyze and monitor the trends in state obligations to provide information to issuers to make informed decisions about financing methods and the structuring and timing of obligations;

c. compile and continually update a statewide master debt issuance schedule from agency financing plans to facilitate coordination of debt issues;

d. advise and make recommendations to the

The Governor shall submit the names and addresses of the members by separate letter to the Secretary of State and the Department of Administration.

The Director of the Department of Administration shall chair the Council, and the Council is attached to the department for administrative purposes. Employees of the Department of Administration shall serve as staff to the Council as directed by the chairperson.

III. Duties of the Advisory Council

1. The Council shall:

a. provide continued oversight of state obligations and review the form of obligations to ensure consistency with authorizing legislation and state financial policies;

b. prepare a state debt management plan and review, analyze and monitor the trends in state obligations to provide information to issuers to make informed decisions about financing methods and the structuring and timing of obligations;

c. compile and continually update a statewide master debt issuance schedule from agency financing plans to facilitate coordination of debt issues;

d. advise and make recommendations to the

Governor as it deems appropriate; and

e. notify members of the Board of Examiners of all meetings, invite Board participation, and keep the Board informed about Council activities.

2. The Council may not supersede the activities or authority of independent agencies, but shall serve as a coordinating council to provide a formal linkage of information among and between state obligation issuers, thereby serving as an effective mechanism to promote fiscal management.

IV. Duties of State Agencies

1. To assist the Council in preparing a master obligation schedule, each issuer shall submit, as requested, a financing plan identifying the amounts to be borrowed, keep approximate time of debt issuance, a description of the projects or programs to be financed, an explanation of the security structure supporting the proposed obligation, and an explanation of the purpose of the financing, along with the key features to the extent known.

2. All agencies shall cooperate with and provide such assistance as the Council may request.

3. The Department of Administration shall consult with the Council in employing and establishing the

duties of a statewide financial advisor.

V. Compensation

Members will be compensated as provided in Section 2-15-122(5), MCA. Each board, authority, corporation, or agency is responsible for the expenses incurred by its representative on the Council. The Department of Administration is responsible for the expenses incurred by legislative representatives.

VI. Duration

This Advisory Council shall exist for two years from the effective date of this order unless extended or terminated by subsequent Executive Order.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 30th day of March, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 6-94

EXECUTIVE ORDER CREATING THE
TRY ANOTHER WAY STATE EMPLOYEES (TAWSE) TASK FORCE

WHEREAS, the Helena area transportation plan envisions the need for $83 million to address traffic problems in the next 20 years, but anticipates less than $12 million in funding; and

WHEREAS, the plan anticipates that merely maintaining the existing road system at the optimal level would cost $12 million during the 20 year planning period; and

WHEREAS, the City-County Transportation Coordinating Committee has approved the plan incorporating transportation demand management; and

WHEREAS, as the largest employer in Helena, State Government has a tremendous impact on traffic and travel patterns in Helena; and

WHEREAS, in order to encourage alternate forms of transportation, on May 12, 1993, I sent a letter to state elected officials, department directors, and executive

boards and commissions encouraging support for state employee activities for "Try Another Way" Week; and

WHEREAS, state employees formed the Try Another Way State Employees (TAWSE) Task Force, which has been meeting regularly; and

WHEREAS, the TAWSE mission is to inspire state employees to be more efficient in their work day travel by promoting and facilitating walking, biking, carpooling, vanpooling and public transportation.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, by the authority vested in me by Article VI, Section 4 of the Montana Constitution, and Section 2-15-201, MCA, do hereby establish the Try Another Way State Employees Task Force and instruct each agency director as follows:

1. To call for representatives from your agency who are willing to serve on the TAWSE;

2. To annually select at least one agency representative and an alternate, with whom you can effectively work, to implement TAWSE's recommendations;

3. To provide for and encourage the active participation of agency representative(s) and alternate(s); and

4. To notify my office by no later than April 1, 1994 and by no later than December 1 of each year thereafter, of your designated representative(s) and alternate(s) to TAWSE.

This Order is effective immediately.

Given under my hand and the GREAT SEAL of the State of Montana, this 30th day of March, 1994

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 5-94

EXECUTIVE ORDER PROCLAIMING A DISASTER
TO EXIST IN THE TOWN OF WINNETT

WHEREAS, in early March unseasonably warm temperatures produced a rapid snow melt which caused flash flooding and damage in the Town of Winnett; and

WHEREAS, the Town of Winnett has committed all available resources, taken all possible actions to respond, mitigate and alleviate the situation, and the local resources are not sufficient to meet the conditions; and

WHEREAS, the Town of Winnett has exhausted all available emergency levies by appropriating emergency funding in an amount equivalent to a two (2) mill levy on the town's taxable valuation, pursuant to Section 10-3-405, MCA, and has requested that an Executive Order be issued declaring a disaster to exist in the Town of Winnett as a result of the flash flooding; and

WHEREAS, the Town of Winnett is not sanctioned under the National Flood Insurance Program; and

WHEREAS, a declaration of an emergency or disaster authorizes the Governor, under Section 10-3-311, MCA, to expend funds from the general fund to meet contingencies and needs arising from these conditions.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana and Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare a disaster to exist in the Town of Winnett.

This order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 28th day of March, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 4-94

EXECUTIVE ORDER PROCLAIMING A DISASTER
TO EXIST IN PETROLEUM COUNTY

WHEREAS, in early March unseasonably warm temperatures produced a rapid snow melt which caused flash flooding and widespread damage to county roads and culverts in Petroleum County; and

WHEREAS, Petroleum County has committed all available resources, taken all possible actions to respond, mitigate and alleviate the situation, and the local resources are not sufficient to meet the conditions; and

WHEREAS, the Petroleum County Board of Commissioners has exhausted all available emergency levies by appropriating emergency funding in an amount equivalent to a two (2) mill levy on the taxable valuation of the county outside the incorporated municipalities, pursuant to Section 10-3-405, MCA, and has requested that an Executive Order be issued declaring a disaster to exist in Petroleum County as a result of the flash flooding; and

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WHEREAS, Petroleum County is not sanctioned under the National Flood Insurance Program; and

WHEREAS, a declaration of an emergency or disaster authorizes the Governor, under Section 10-3-311, MCA, to expend funds from the general fund to meet contingencies and needs arising from these conditions.

NOW, THEREFORE, I, MARC RACICOT, Governor of the State of Montana, pursuant to the authority vested in me as Governor under the Constitution of the State of Montana and Title 10, Chapter 3, MCA, and under other applicable statutes, do hereby declare a disaster to exist in Petroleum County.

This order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 28th day of March, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 3-94

EXECUTIVE ORDER AMENDING EXECUTIVE ORDER NO. 2-93 AND RE-ESTABLISHING THE INTERDEPARTMENTAL COORDINATING COMMITTEE OF WOMEN (ICCW)

WHEREAS, the Constitution of the State of Montana prohibits the State or any person from discriminating against any person in the exercise of his or her civil rights on the account of sex; and

WHEREAS, I am committed to bringing about full and equal employment opportunity for all Montanans; and

WHEREAS, equal employment opportunity begins in state government; and

WHEREAS, the State's Equal Employment Opportunity report of 1993 demonstrates that women continue to be heavily concentrated in lower-paying, non-management and non-policy making positions; and

WHEREAS, the State's Equal Employment Opportunity report of 1993 also shows that although some progress has been made toward women moving into management jobs, women remain concentrated at the low end of professional and managerial

positions; and

WHEREAS, the ICCW has been effectively utilized in the past to identify issues facing women state employees; and

WHEREAS, the goal of the ICCW is to create positive change for all state employees by promoting the full participation of women in state government.

NOW, THEREFORE, I, MARC RACICOT, by the authority vested in me by Article VI, Section 4 of the Montana Constitution, and Section 2-15-201, MCA, do hereby:

1. Re-establish the Interdepartmental Coordinating Committee for Women.

2. Instruct each agency director as follows:

   A. To call for representatives from your agency who are willing to serve on the ICCW; and

   B. To annually select at least one agency representative and an alternate with whom you can effectively work to implement ICCW's recommendations and to notify my office prior to May 1st of the appointees' names; and

   C. To provide for and encourage the active participation of agency representative(s) and alternate(s); and

   D. To notify my office within 30 days after resignation of your department's representative with the name of your replacement representative.

This order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 28th day of March, 1994.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State

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Executive Order No. 2-94

EXECUTIVE ORDER CREATING
THE MONTANA CONSENSUS COUNCIL

Montanans have long followed the western tradition of cooperation, of neighbor helping neighbor. Our towns and cities and our rural ways of life are founded on the shoulders of Montanans working together.

This sense of community is a valuable resource, one we must again nurture as Montana prepares to enter the 21st century. Great changes are at hand. Our economy -- once dominated by agriculture, mining, and timber -- is diversifying with the growth of tourism, recreation, service industries, and an emerging high-tech sector. Our populace also grows more diverse as retirees, professionals, and service providers are drawn here by Montana's inspirational landscape, spaciousness, and a quality of life many find diminished outside our borders.

Now more than ever we must work together to meet the challenges ahead: jobs, education, sustainable communities, and environmental protection. Together, Montanans of all walks of life must seek ways to find agreement, to equitably and

effectively resolve these and other important issues.

Many citizens are rising to this challenge with a renewed desire to participate in public debate, to have a voice in the decisions that affect their lives. In response, the 1993 Montana Legislature awarded a grant to the Office of the Governor to encourage public participation, and to provide a forum for cooperative and innovative problem-solving, particularly regarding natural resource issues.

As Governor, I hereby create The Montana Consensus Council. Its mission is:

To provide assistance for building agreement on natural resource and other public policy issues;

To anticipate and resolve controversial issues before disputes occur, thereby reducing the social and financial costs associated with prolonged disagreement;

To encourage and support opportunities for citizens to work together and build agreement among diverse interests;

To enhance the capacity of citizens, communities, agencies, and organizations to jointly solve problems and resolve disputes; and

To increase public awareness and understanding of cooperative approaches to building agreement on public policy.

The Montana Consensus Council shall be governed by a Board of Directors, initially appointed by the Governor, whose members shall represent a cross-section of Montana's citizens.

This Order will remain in effect unless rescinded by subsequent Executive Order. This Order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 22ND day of JANUARY in the year of our LORD, One Thousand, Nine Hundred and Ninety-Four.

Marc Racicot

MARC RACICOT, Governor

ATTEST:

Mike Cooney

MIKE COONEY, Secretary of State